THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.20149 OF 2005

Dated 14th September 2005

Between:

A.Muthyalanna S/o.Obulesu,

Aged 4 years, R/o.Karutla palle, Kuderu Mandal,

Anantapur District.

…Petitioner

And

The Depot Manager, APSRTC,

Kanigiri Depot, Prakasam District.

…Respondent

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O R D E R:

The petitioner was engaged as a casual driver, through order dated 13.6.2000. At present, he is on the rolls of Kanigiri Depot. Through his order dated 22.1.2005, the Depot Manager, Kanigiri, the respondent herein, deleted the name of the petitioner, from the approved list of casual drivers. The petitioner challenges the same.

Heard the learned counsel for the petitioner and learned Standing Counsel for respondent.

It is a matter or record that the petitioner has been selected and enlisted, as casual driver, and has been discharging the functions, since 2000. The respondent issued a show-cause notice dated 24.9.2004, directing the petitioner to explain, as to why he shall not be removed from the approved list of casual drivers, on the ground that he was unauthorisedly absent. The petitioner submitted his explanation on 11.10.2004. The respondent recorded a finding that the petitioner has committed offence, and through the impugned order, he removed the name of the petitioner, from the approved list. In several matters of this type, this Court took the view that before the name of any casual driver is deleted from the approved list, on the grounds of misconduct, a departmental enquiry must be held. Admittedly, no such enquiry was held against the petitioner.

On this short ground, the writ petition is allowed, and the impugned order is set aside. The respondent is directed to continue the name of the petitioner, in the approved list of casual drivers. It shall, however, be open to the respondent, to take further steps, in accordance with law. There shall be no order as to costs.

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14th September 2005

Note: Issue C.C. in one week.

(B/o)

PAN